

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00320

Paul J. Connall,
Plaintiff,

v.

Warden MTC-ISF et al.,
Defendants.

ORDER

Plaintiff Paul J. Connall, a prisoner of the Texas Department of Criminal Justice, proceeding pro se, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983 without paying the filing fee. The case was transferred to this court for proper venue and referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b).

On July 7, 2023, the magistrate judge issued a report recommending that the court bar the plaintiff from proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915(g) and dismiss this case with the option to reinstate if the plaintiff pays the filing fee within 15 days of dismissal. Doc. 7. A copy of the report was mailed to the plaintiff, who has not filed written objections or paid the filing fee.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. The plaintiff is denied leave to proceed as a pauper, and this case is dismissed with prejudice for purposes of proceeding *in forma pauperis* under 28 U.S.C. § 1915(g). This dismissal is without prejudice as to the refiling of the lawsuit upon full payment of the filing fee.

So ordered by the court on October 10, 2023.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge